

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Tuesday 12th September, 2023

No. 307

**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK**

No. 54/Home/2023

Dated: 11/09/2023

NOTIFICATION

In partial modification of Notification No. 110/Home/2009 dated 19/08/2009, the State Government is hereby pleased to make the following amendment namely:-

In the said notification, for the existing paragraph 4, the following paragraph shall be substituted, namely:-

"4. In case the State Government decides to withdraw from prosecution in a case, the necessary instructions for such withdrawal from prosecution shall be intimated to the Prosecuting Agency namely, Sikkim Police or Sikkim Vigilance Police as the case may be by the Home Department.

Consequently, the Prosecuting Agency shall then intimate the decision of the State Government to the Public Prosecutor or Assistant Public Prosecutor in-charge of the case for taking appropriate steps for withdrawal of the prosecution under section 321 of Code of Criminal Procedure, 1973 in the Court in which the case is pending".

By order and in the name of the Governor,

**V. B. Pathak, IAS
Chief Secretary
Government of Sikkim
File No. Home/Confdl/174/2021/03**